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**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN ALASKA
ENVIRONMENTAL CENTER, *et al.*,

Plaintiffs,

v.

CHAD PADGETT, in his official capacity as
Alaska State Director, U.S. Department of the
Interior, *et al.*,

Defendants,

and

AMBLER METALS, LLC, *et al.*,

Intervenor-Defendants.

Case No. 3:20-cv-00187-SLG

**INTERVENOR-
DEFENDANTS' JOINT
MOTION REGARDING THE
BRIEFING SCHEDULE AND
SUFFICIENCY OF THE
ADMINISTRATIVE
RECORD AND
REQUESTING STATUS
CONFERENCE**

After conferring with Plaintiffs and Defendants, Intervenor-Defendants in *Northern Alaska Environmental Center v. Haaland*, Case No. 3:20-cv-00187-SLG, and *Alatna Village Council v. Padgett*, Case No. 3:20-cv-00253-SLG, jointly request that this Court

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enter an order adopting the proposed case management schedule that would allow for the Court to resolve the merits of these separate cases on the same schedule. Intervenor-Defendants understand that Plaintiffs and Defendants will file a different proposed schedule. Intervenor-Defendants request that the Court set a status conference to resolve the differences between the schedule proposed here and that proposed by the Plaintiffs and Defendants.

Plaintiffs, Defendants, and Intervenor-Defendants have also conferred regarding the sufficiency of the administrative record and agree that the administrative record is complete at this time.

Both cases challenge Federal Defendants' decisions related to the approval of a road to the Ambler Mining District under various laws. Although the cases involve related facts and claims under some of the same statutes, Plaintiffs contend that the specific alleged violations in each case are distinct. The case management schedule proposed here provides for separate briefing at Plaintiffs' request; the parties would submit their briefs on the same day in each case to promote efficient motions practice.

Accordingly, the Intervenor-Defendants in *Northern Alaska Environmental Center* and *Alatna Village Council* propose the following briefing schedule for both cases:

1. Plaintiffs will submit their separate opening briefs on or before September 29, 2021;

2. Defendants will submit their separate briefs in opposition in each case on or before November 12, 2021;
3. Intervenor-Defendants will each submit their combined brief in opposition on or before December 3, 2021;¹
4. Plaintiffs will submit their reply briefs on or before December 22, 2021.
5. The parties will submit their appendix of the record for each case on or before January 19, 2022.

In addition, because the Plaintiffs together assert twenty-seven distinct claims, and will each be filing a reply brief, Intervenor-Defendants reserve their right under Local Rule 16.3(c)(4) to seek leave to file a sur-reply in the event that Plaintiffs raise new arguments or assert new information in their reply briefs.

Respectfully submitted, this 18th day of August, 2021.

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¹ The deadline proposed for Intervenor-Defendants' briefs in opposition is necessary to provide adequate time, in light of the Thanksgiving holiday, for the Intervenor-Defendants to review substantial opening briefs, two substantial Federal Defendant briefs in opposition, and coordinate amongst themselves to avoid unnecessary duplication between themselves and the federal government to "maintain consistency in the management of this case ..., prevent cumulative arguments, and enhance the efficient conduct of this case, ..." See *NAEC*, ECF No. 42; *Alatna*, ECF No. 34. To further the goal of reducing duplication, Intervenor-Defendants also propose that each Intervenor-Defendant should file one consolidated brief responding to both of the Plaintiffs' opening briefs.

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Certificate of Service

I hereby certify on August 18, 2021, I caused to be electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification and electronic service of the same to all counsel of record.

HOLLAND & HART LLP

/s/ Kyle W. Parker

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